

RECEIVED

AUG 28 2001

PATENT  
TECH CENTER 1600/2000  
Customer No. 22,852  
Attorney Docket No. 2356.0073-01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
SUERBAUM et al. ) Group Art Unit: 1647  
)  
Serial No.: 09/015,078 ) Examiner: S. Turner  
)  
Filed: January 29, 1998 )  
)  
For: CLONING AND )  
CHARACTERIZATION OF THE )  
*flbA* GENE OF *H. PYLORI*, )  
PRODUCTION OF AFLAGELLATE )  
STRAINS )  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**PRELIMINARY AMENDMENT**

Prior to the examination of the above application, please amend this application as follows:

**IN THE SPECIFICATION:**

Please amend the specification as follows<sup>1</sup>:

Replace the paragraph running from Page 2, line 35 to Page 3, line 7 with:

The invention therefore relates to a nucleotide sequence from the *flbA* gene regulating the biosynthesis of the proteins of the *Helicobacter pylori* flagella, characterized in that it is able to hybridize, under conditions of high stringency, with a

1 A "marked-up" version of this amendment, indicating the changes being made, is provided in the Appendix.

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, DC 20005  
202-408-4000

33/21/2001 5:00PM 00000000 00000000

00 00 000

00.00 01